

***City of York Board of Zoning Appeals  
Minutes  
November 8, 2021***

**Members Present:**

Chairperson James Ramere  
Becca Caldwell  
Rodney Blair  
Bryant Brown  
Myra Sinz

**Members absent:**

Jill Neff  
Strauss Shiple

**Others present:**

Planning Director Breakfield  
Brandon Wilburn  
Chris Sinz

Chairperson James Ramere called the meeting to order at 6:00 pm.

**The first item of business** was approval of the draft Minutes from the October 11, 2021 meeting. Upon a Motion by Becca Caldwell, seconded by Rodney Blair, the Board of Zoning Appeals (BZA) unanimously approved the Minutes as submitted.

**The second item of business** was a special exception application for entryway signage for Austen Lakes Subdivision Phase 5 at the intersection of Brannon Meadows Drive and West Liberty Street.

Chairperson Ramere convened a public hearing regarding the application, announced an order of business for the public hearing and requested that City staff provide information regarding the application.

Planning Director Breakfield indicated the following regarding the application:

1. As Chairperson Ramere noted, the second item of business is a special exception application for entryway signage for Austen Lakes Phase 5 at the intersection of Brannon Meadows Drive at West Liberty Street.
2. The applicant is True Homes LLC and the property is referenced by York County Tax Map Id# 0700101071.
3. The property is currently zoned R5- Multifamily Residential.
4. Table 12.2 Freestanding Sign Regulations of the Zoning Ordinance specifies that such entryway signage for a subdivision must be reviewed through the special exception process via the Board of Zoning Appeals.
5. The proposed signage would be consistent with existing signage at other entryways to the subdivision.

6. The BZA must conduct a public hearing(s), receive public feedback and make a final decision on the matter. The public hearing for this application is scheduled for this evening.
7. As with all public hearings, the agenda has been posted to a local newspaper, the City's website and at York City Hall; all adjacent property owners were notified by mail; the Public Hearing has been duly advertised in a local newspaper and Public Hearing signage was posted on each affected property.
8. As the special exception application and conceptual site plan are reviewed, the BZA must be mindful that, among other things, the following factors must be addressed in the decision-making process and in any Motion made on the subject:
  - a. The proposed design and location of the particular development.
  - b. The possible traffic-generating characteristics of the proposed development.
  - c. The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
  - d. The availability of public utilities, facilities and services.
9. The BZA has a maximum of 75 days from this meeting to render a decision on the application; otherwise, the application is deemed approved.
10. If a variance application is denied by the BZA, the application cannot be presented again for a period of 12 months.

After closing the public hearing, discussion by the BZA and upon a Motion by Becca Caldwell, seconded by Bryant Brown, the BZA unanimously approved the application.

**The third item of business** was discussion of a potential Executive Session for the receipt of legal advice due to legal matters.

By affirmation, the BZA voted to enter Executive Session; thereafter, the BZA reconvened regular session and indicated that no action was taken in Executive Session.

**The fourth item of business** was discussion of a potential rehearing regarding a variance application for property at 52 Ross Cannon Street.

Upon a Motion by Becca Caldwell, seconded by Myra Sinz, the BZA unanimously voted to reconsider its decision rendered on October 11, 2021 regarding the variance application for property located at 52 Ross Cannon Street. A rehearing of the matter will be held at an upcoming meeting.

There being no further business, the meeting was adjourned at 6:20 pm.

Respectfully submitted,

C. David Breakfield Jr., MCP, AICP  
Planning Director

cc: City Manager Seth Duncan  
File- Board of Zoning Appeals 11/8/2021